

**ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD REPEALING, RENUMBERING
AND AMENDING, AMENDING, REPEALING AND RECREATING AND CREATING RULES**

The Wisconsin Natural Resources Board proposes an order to repeal ss. NR 10.01(3)(e)1.b. and 4., (es)2., 10.104(8)(a), (b), and (c), (10)(a) and (b); renumber and amend ss. NR 10.01(3)(e)1.e., 5. and 6., (es)3., 10.104(8)(d) and (e); amend ss. NR 10.001(3t), 10.01(3)(e)1.(intro.), 1.a., (em), (em)3., (es)a., (ev), 10.104 (8) intro., (10)(intro.), (11)(intro.), 10.105(2), 10.40(3)(f) and 45.09(4); to repeal and recreate s. NR 10.01(3)(e)1.c., 2., 3., (em)2., and 10.104(7); and to create ss. NR 10.01(3)(ed), (ef), (em)4., 10.104(8)(a) note, and 10.28(4) relating to deer hunting season and permit issuance regulation changes.

WM-29-05

Analysis Prepared by the Department of Natural Resources

Statutory Authority and Explanation: Statutes that authorize the promulgation of this rule order include § 29.014, 29.089(3), and 29.177(3m), Stats. These sections grant rule making authority to the department to establish seasons, regulations and bag limits for hunting that ensure the citizens of the state continued opportunities for quality hunting. Additionally, these statutes provide authority for the department to manage state owned properties and issue special antlerless deer permits. All rules promulgated under this authority are subject to review under ch. 227, Stats.

Statutes Interpreted and Explanation: In promulgating this rule § 29.014, 29.024(6), 29.089(3), 29.173(3), 29.177, 29.181, and 29.559, Stats., have been interpreted as providing the department with the authority to allow the department to establish deer hunting regulations as well as deer license and deer carcass tag issuance regulations.

Related Statute or Rule: There are no rules or statutes currently under promulgation that relate to the provisions that are proposed in the administrative rule order.

Plain Language Rule Analysis: This rule order reflects my attempt to incorporate the following recommendations:

1. There will be a 2-day youth either sex gun hunt in September (opening 7 days after the bow season opens). A mentor will be required to accompany a youth (only the youth will be allowed to carry a gun) and the youth hunter will be required to place their regular buck deer carcass tag on an antlered buck (only one buck per youth hunter). Youth hunters would be allowed to harvest as many antlerless deer as they have valid tags for.
2. The late archery season will close the Sunday nearest January 6th. This change will ensure that the late bow season will be open during the New Year's holiday every year.
3. There will be a statewide 4-day antlerless gun hunt beginning on the 2nd Thursday following the Thanksgiving holiday. The hunt will be open in all units to anyone with a valid antlerless deer permit.
4. In herd control units (currently Zone-T and EAB units) antlerless tags will be unrestricted. The first antlerless tag is free with the purchase of a gun and archery license. Additional tags will be available for a minimal handling fee (\$2 unless purchased on-line or over the phone in which case the standard processing fee (\$3) will be applied in addition to the \$2).
5. River Block Units would be treated the same as the rest of the state in season dates and tagging options.
6. The archery license would come with two tags valid statewide: one valid for one antlered deer only and the other valid for antlerless only. This change will retain the either sex hunt option for archery while simplifying tagging options. There will be only two types of tags: buck and antlerless. There will be no more either sex tags – except for two very limited exceptions.
7. The Hunter's Choice program would be replaced by the sale of antlerless tags valid in limited quota (regular) units as additional deer. Antlerless permits would be sold first come, first serve for \$12 each (\$20 for non-residents). Tags would be available on August 1st, one per hunter per day.
8. There would be no October 4-day antlerless only hunt outside CWD zones in 2006 and 2007. (In the event that the average antlerless:antlered harvest ratio in herd control units statewide is below 1.4 in 2006, the rule may immediately sunset.) In the event that inadequate herd control is realized as a result of this trial, the 4-day October antlerless deer gun hunt would return in 2008. The start date would be the Thursday nearest October 15 and it would occur in DMUs where a regular season of buck plus quota will not bring the population to within 20% of the over-winter goal.
9. The Earn-A-Buck season structure would be an available tool (in 2006 and 2007) for recommendation to the Natural Resources Board based on the criteria currently used (EAB pre-qualification will be implemented).
10. A first come-first served system to sell bonus tags as the deer hunting access permission on state parks open to hunting.
11. None of these proposed changes apply to the CWD Zones or season structures.

Detailed Section Analysis:

Section 1. Clarifies that the \$12 and \$20 bonus deer hunting permits identified in statute only pertain to the permits which are purchased. This allow us to give away permits in “herd control units” and are not bound by various statutory requirements associated with “bonus deer hunting permits”.

Section 2. Eliminates references to “Zones A – M” as we no longer utilize these zones in our deer herd management or season structure. It will also help to relieve confusion now that we are referring to “deer management regions” later on in this rule.

Section 3. Creates a 4-day December shotgun only antlerless deer hunt.

Section 4. Eliminates the Mississippi River Block and special regulations for DMU 82.

Section 5. Creates a 4-day December firearm antlerless deer hunt.

Section 6. Creates the 4-day October antlerless deer hunt in those units that do not meet the performance measures (antlerless/antlered harvest ratio and population) established in Section 8.

Section 7. Creates our “herd control” permit issuance procedures and criteria and sunsets our current Zone T and EAB authority. This section also includes an alternative EAB season authority in units that meet specific criteria.

Section 8. Establish our performance measures for the 2006 and 2007 deer seasons. It is this section that would trigger the October hunt that we create in Section 6.

Section 9. Recreates the State Park gun deer hunt subd. It clarifies and consolidates some seasons and by including a new introductory clause, along with Section 15 (archery State Park Seasons), eliminates the need for s. NR 10.27. Which reduces the number of cross-references for State Park Deer hunting seasons. Additionally, this section clarifies that a permit is required to enter state parks, but that permit is no longer a Hunter’s Choice permit.

Section 10. Creates a Federal Property deer gun season section.

Section 11. Renames “Zone E” and “Zone M” and eliminates references to Hunter’s Choice and adds 4-day statewide December antlerless deer hunt to the Metro gun deer season.

Section 12. Extends the Archery season through the Sunday nearest January 6th, and eliminates references to Hunter’s Choice.

Section 13. Similar to Section 10, this section creates a Federal Property deer bow season section.

Section 14. Removes the reference to Hunter’s Choice in the Metro bow seasons subdivision.

Section 15. Creates a State Park archery deer season section and along with Section 9., eliminates the need for s. NR 10.27. Now all of the state park deer seasons (gun, muzzleloader and bow) are in the season tables. Additionally, this section clarifies that a permit is required to enter state parks, but that permit is no longer a Hunter’s Choice permit.

Section 16. Eliminates the reference to Hunter’s Choice in the Muzzleloader deer season section.

Section 17. Eliminates the MRB muzzleloader season.

Section 18. Amends the Loew Lake muzzleloader season subd. No hunter’s choice and a permit is required.

Section 19. Creates a two-day either-sex youth deer hunt in September.

Section 20. Creates a description of the gun deer and archery deer carcass tags.

Section 21. Repeals all references and code language associated with issuing Hunter’s Choice and Bonus permits through a drawing.

Sections 22, 23, 24 and 25. Creates new antlerless permit issuance guidelines. It allows us to issue all antlerless permits first-come, first-serve over the counter.

Section 26. Clarifies the bag limit and license requirements for use of antlerless deer permits.

Section 27. Updates EAB transportation guidelines to include the EAB season proposed under the herd control season structure established earlier in the rule.

Section 28. Repeals the state park deer hunting section.

Section 29. Establishes deer management regions as referenced in our performance measures established in Section 8.

Section 30. Eliminates a reference to Hunter's Choice permits under the disabled hunt section.

Section 31. Updates the cross-reference to NR 10 where state park deer seasons are established.

Federal Regulatory Analysis: Provided state rules and statutes do not relieve individuals from the restrictions, requirements and conditions of Federal statutes and regulations, regulation of hunting and trapping of native species has been delegated to state fish and wildlife agencies. None of the proposed rules exceed the authorities granted the states in 50 CFR 10.

State Regulatory Analysis: Minnesota has deer seasons that run from early to mid-November, with a muzzleloader season that runs from the end of November to mid-December. There is a two-day youth deer hunt in northwest Minnesota. Gun and archery licenses are purchased separately. Minnesota only issues one tag with each license, with additional tags available for purchase. There is a lottery for these tags in "lottery deer permit areas".

Michigan has a firearm season that runs from mid-November to the end of November, an archery season that runs from October to January, and a nine-day muzzleloader season in December. There is also a two-day youth hunt in September. Like Wisconsin, hunters purchase either a firearm or archery deer license. A regular license allows the harvest of a buck and an antlerless license allows the harvest of an antlerless deer. An antlerless license may be applied for (for a fee) and a drawing is held to determine successful applicants who then may purchase an Antlerless License.

Illinois has multiple short gun seasons that falls between late November to mid-January. The archery season runs from the beginning of October to mid-January. There is also a two-day Youth Firearm Deer Season in October. Hunters must purchase separate gun and archery authorizations, similar to Wisconsin. All carcass tags must be purchased; additional tags may be acquired through a lottery.

Iowa has a split gun season in December, muzzleloader season from mid-December to mid-January, and a bow season that runs from October to December. There is a youth hunt open to Iowa residents only, which runs from mid-September to October. Iowa's deer license is not weapon specific. There is only one tag issued per license but additional tags may be purchased with the first antlerless tag costing \$26 and subsequent tags costing \$11 each. These tags are first come, first served until quotas are filled.

Overall, Wisconsin's deer hunting license and season structure is similar to those of neighboring states. One exception is that Wisconsin issues more than one harvest authorization with a deer license. Also, if the current proposal is approved, Wisconsin will be the only state to issue hunting authorizations to all hunters free of charge.

Summary of Factual Data and Analytical Methodologies: DNR support for not having an October hunt in this proposal is dependent upon a thorough evaluation of the antlerless harvest changes that occur. For two years (2006 and 2007), the department would carefully monitor the kill and the effects to the population in both regular and herd control units. After each season staff will evaluate the harvest and resulting population changes in relation to the population goals, and report to the Natural Resources Board. Deer population changes statewide and at regional and unit specific levels will be monitored to determine whether to extend the 2-year test for a longer period of time. Public opinion toward these changes will also be monitored. During the test, the department will continue to consider and recommend EAB based on current criteria.

If either of the criteria below are not fully met, the department will ask NRB to allow the rule to expire.

Criteria 1: The average antlerless:antlered harvest ratio in herd control units must meet or exceed 2.0 in all deer management regions.

Criteria 2: All sections of the proposed season structure must be implemented.

Due to concerns that rapid herd growth can occur in many DMUs if minimal antlerless deer harvest is not met, a one-year sunset criteria is included. If the average antlerless:antlered harvest ratio in herd control units statewide is below 1.4 antlerless deer per antlered buck in 2006, the Department may ask the Natural Resources Board to immediately sunset the rule.

The ramifications of this change to deer populations have the potential to be significant. If antlerless deer harvest in herd control units fails to meet that of previous October hunts, the department expects the need to recommend widespread use of EAB season structure at the end of the trial.

This structure is a test of the effectiveness of free herd control tags and a statewide December gun hunt in fully replacing the antlerless deer harvest realized during the October Zone T hunts. The rule will sunset to a 4-day October antlerless gun hunt starting the Thursday nearest October 15 in units identified based on the criteria currently in Administrative Code (NR 10.01 (3)(ez)2.) immediately at the end of this test (the term of the test ends with the end of the 2007 deer season) unless there is evidence that unequivocally demonstrates that the new season structure is at least as effective for population control as the current Zone T structure.

EAB pre-authorization will be implemented with a system of electronic tracking of registration stubs by using a contractor to key in information from stubs that will be mailed to them from registration stations. Under this protocol, a hunter would be issued a buck authorization only if and when the unit they harvested an antlerless deer in becomes an EAB unit in the year immediately following the harvest of an antlerless deer. With the electronic database of registrations, buck stickers can be mailed to hunters when EAB is approved. "Pre-authorization" has been a frequent request of hunters and hunting groups in response to EAB implementation. Further, without an October hunt (at least for 2006 and 2007), pre-authorization will facilitate implementation of the necessary EAB seasons.

Anticipated Private Sector Costs: Implementation of this rule is on a Deer Management Unit basis and based on the deer population in that unit, the fiscal effects on individual hunters vary. In Herd Control Units, antlerless permits will be available for a nominal processing fee (\$2, with an additional \$3 service charge for phone and Internet purchases). This will be cost savings for hunters, as in previous years, these permits were sold at the cost of \$12 for residents and \$20 for non-residents. In addition archers statewide will be receiving an additional antlerless tag. Therefore, bowhunters will not need to purchase an antlerless permit if they wish to harvest an antlerless deer in addition to a buck in any unit. However, in addition to these cost savings for hunters, there will be an added cost for those hunters in Regular Units. In these units, where the number of antlerless permits are limited, Hunter's Choice will no longer be used. As a result, a hunter can no longer apply to harvest a buck or an antlerless deer for \$3. Rather if the hunter wants the ability to shoot a deer of either sex, they will need to buy an antlerless permit (\$12 resident, \$20 non-resident). This will be an added cost for those hunters in Regular Units.

Effects on Small Businesses: These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses, nor are any design or operational standards contained in the rule.

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Deadline for Comments: October 15, 2005.

Section 1. NR 10.001(3t) is amended to read:

NR 10.001(3t) "Bonus deer hunting permit" for purposes of s. 29.181, Stats., means any additional carcass tags issued under s. NR 10.01 (3) (ez), ~~any antlerless deer permits issued under s. NR 10.104 (6) (a) for gun deer season zone B as described in s. NR 10.01 (3) (e), purchased and any antlerless permits issued under s. NR 10.104 (8) (e), (d) (a) and (e) (b).~~

Section 2. NR 10.01(3)(e)1.(intro.) is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(e) 1. Zone "A" All that part of the state not otherwise listed in season zones "B" through "M" subds. 2. to 6., or in those CWD zones described in s. NR 10.28 (3).		

Section 3. NR 10.01(3)(e)1.a. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(e)1.a. In the counties or parts of counties and deer management units of Brown, Calumet, Dane, Dodge, Door (Detroit, Plum, Rock, and Washington Islands only), Dunn (unit 59B portion), Fond du Lac, Green, Jefferson, Kenosha, Kewaunee, Lafayette, Manitowoc, Outagamie, Ozaukee, Pierce (unit 59B, 60A , 60B and 60A 61 portions), Racine, Rock, St. Croix (unit 59B and 60 60B portions), Sheboygan, Shawano (south of highway 29), <u>Trempealeau national wildlife refuge</u> , Walworth, Washington, Waukesha, Waupaca, and Winnebago.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days. <u>4-day shotgun season beginning the second Thursday following the Thanksgiving holiday.</u>	One buck deer or and antlerless deer as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104. <u>One antlerless deer per antlerless deer permit issued under s. NR 10.104.</u>

Section 4. NR 10.01(3)(e)1.b. and 4. are repealed.

Section 5. NR 10.01(3)(e)1. e. is renumbered 1.b. and is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(e)1.b. All other parts of Zone "A" the state.	Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days. <u>4-day firearm season beginning the second Thursday following the Thanksgiving holiday.</u>	One buck deer or and antlerless deer as authorized by hunter's choice and antlerless permits issued under s. NR 10.104. <u>One antlerless deer per antlerless deer permit issued under s. NR 10.104.</u>

Section 6. NR 10.01(3)(e)1. c. is repealed and recreated to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(e)1.c. Except for areas identified in subds. 2. and 3., this season may be implemented in deer management units, starting in 2008 if the gun deer season and permit issuance procedures established in subdivision paragraphs a. and b. and par. (ed) in a deer management region do not meet the performance measures established in par. (ef)1. Additionally, this season may be implemented in 2007 in a deer management unit if the 2006 gun deer season and permit issuance procedures established in subdivision paragraphs a. and b. and par. (ed) do not meet the performance measures established in par. (ef)2.	Firearm season beginning on the Thursday nearest October 15 and continuing for 4 consecutive days. The firearm type in a deer management unit is the same as authorized during the seasons listed in subdivision paragraphs a. and b.	One antlerless deer per antlerless deer permit issued under s. NR 10.104.

Section 7. NR 10.01(3)(ed) is created to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
<p>NR 10.01(3)(ed)1. Deer herd control measures. a. The department may, upon making the findings in subd. 2. modify the deer permit issuance procedures as described in this paragraph for any deer management unit to reduce the deer population nearer to the overwinter population goals established in s. NR 10.104. Under this paragraph special permits for antlerless deer under s. 29.177, Stats., may be issued free of charge at the rate of one permit per license authorizing deer hunting or 2 permits per conservation patron license. The permits may be used to hunt and tag deer during any of that year's deer seasons for the units specified under subd. 2. Additional special permits for antlerless deer shall be issued at no charge, except for a handling fee authorized under s. 29.556, Stats., and s. NR 19.02.</p> <p>b. If after 2 consecutive years, as described in subd. 1. a or par. (ez)1.a. and am., the department determines a third season, as described under this subd. 1.a., is unlikely to reduce the deer population to within 20% of the overwinter population goal established in s. NR 10.104 for the same deer management unit or units in the subsequent year, hunters shall harvest or tag an antlerless deer in that unit or units with either a bow or a gun during any deer season or with an agricultural shooting permit, before they may tag a buck with either weapon in that unit or units. One antlerless deer is required to authorize harvest of one buck in that unit or units, or in state parks with gun deer seasons that are within or adjoining these units, for each archery and gun deer license. Deer harvested as described in this paragraph shall be transported in accordance with s. NR 10.105 (3).</p> <p>c. If after a season as described in subd. 1. b., the department determines a season as described in subd. 1. a., is unlikely to reduce the deer population to within 20% of the overwinter population goal, established in s. NR 10.104, for the same deer management unit or units in the subsequent year, hunters may only hunt deer in accordance with subd. 1. b.</p> <p>2. Findings. The department shall, prior to making any modification for a deer management unit under subd. 1., find that it is unlikely the deer population for the deer management unit will be reduced to within 20% of the overwinter population goal established in s. NR 10.104 under the established deer hunting seasons, including the statewide December hunt. In making this determination, the department shall compare the deer harvest required to reduce the deer population to goal to the deer harvest likely to occur under the existing season structure.</p> <p>3. Notice. Modification by the department under subd. 1. shall become effective upon issuance of an order and publication in the official state newspaper. In addition, a notice of the order shall be provided to newspapers, legislators and hunting license outlets in the area affected.</p> <p>4. CWD zones. Areas specified under this paragraph exclude areas described in par. (et) 1. a. and 2. a. and b.</p> <p>5. Sunset. This paragraph may replace par. (ez) in 2006 and 2007 when the statewide December deer season established in par. (e)1. is in effect.</p>		

Section 8. NR 10.01(3)(ef) is created to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(ef)1. Biannual Performance measures. a. Beginning in 2007, the average antlerless:antlered harvest ratio from the 2 previous years in deer management units that meet the criteria established in par. (ed)2. shall equal or exceed the antlerless:antlered ratio identified in subd. 2. for the region in which the unit is located as established in s. NR 10.28(4).		
b. Antlerless:antlered harvest ratios.		
Deer Management Region	Antlerless:antlered ratio	
Western Farmland	2	
Southern Farmland	2	
Eastern Farmland	2	
Central Forest	2	
Northern Forest	2	
2. Annual performance measures. The antlerless:antlered harvest ratio in deer management units that meet the criteria established in par. (ed)2. shall equal or exceed 1.4 antlerless deer per antlered buck.		

Section 9. NR 10.01(3)(e)2. is repealed and recreated to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(e)2. State parks and forests. No person may gun deer hunt on the state-owned portions of state parks and recreation areas except as provided in this section. Portions of the properties listed may be posted closed to deer hunting. Additionally, no person may deer hunt in Perrot, Peninsula, Wyalusing, Wildcat Mountain, Council Grounds, Rib Mountain, Harrington Beach, Kohler-Andrae, Brunet Island state parks or the Loew Lake Unit - Kettle Moraine state forest without first obtaining a hunter's choice permit which authorizes access to the park.		
a. Perrot (unit 61A) and Peninsula (unit 80C) state parks.	Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.	One buck deer and antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.
b. The following state parks and trails: the portion of Big Bay state park located on Madeline Island west of a north-south line beginning at the park entrance on Haines road, Governor Thompson, Elroy-Sparta, Hartman Creek, Interstate, the Plum Island portion of Grand Traverse Islands, Mill Bluff, Newport, Rock Island, Wyalusing (73A) and Tuscobia-Park Falls.	Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days. The firearm type is the same as authorized for the surrounding deer management unit.	One buck deer and antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.

Kind of animal and locality	Open season (all dates inclusive)	Limit
c. Kinnickinnic and Willow River state parks.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.	One buck deer and antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.
d. Wildcat Mountain (unit 72A), Rib Mountain (unit 57D), Harrington Beach (unit 69C), and Kohler-Andrae (77E) state parks.	Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 19 consecutive days.	One buck deer and antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.
e. Council Grounds state park (unit 52A)	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days followed by a muzzle loading firearm season beginning on the following Monday and continuing for 10 consecutive days.	One buck deer and antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.
f. Brunet Island (unit 23A) state park.	Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 19 consecutive days.	One antlerless deer or one deer of either sex as authorized by deer permits issued under s. NR 10.104.
g. Loew Lake Unit - Kettle Moraine state forest (unit 77D).	Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days. Muzzleloader firearm deer hunting is limited to persons holding a permit for unit 77D.	One buck deer and antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.

Section 10. NR 10.01(3)(e)3. is repealed and recreated to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(e)3. Federal properties		
a. Badger army ammunition plant in Sauk county, Fort McCoy military reservation in Monroe county and Volk Field military facility in Juneau county.	Firearm season type as established by military permit and approved by the department by August 1 annually.	Sex and type of deer is as specified on permit issued by military facility.
<p>Note: The department does not issue deer hunting permits for the Badger army ammunition plant, Fort McCoy and Volk Field military facilities. Hunters must apply directly to these facilities for a deer hunting permit and are limited to the type of deer specified on the permit.</p>		
b. Deer management unit 79 – Apostle Islands	Muzzleloading firearm season October 1-31.	One deer either sex.

Section 11. NR 10.01(3)(e)5. and 6. is renumbered 4. and 5. and are amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(e)4. Zone "E" Tribal lands.		
Menominee county (unit 48)	Firearm season type as established by the Menominee tribe for tribal members only.	As established by the Menominee tribe.
5. Zone "M" Metro units.		
a. Deer management units 59M, 60M, 64M and 77M.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 19 consecutive days.	One buck deer or <u>and antlerless deer</u> as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.
	<u>4-day firearm season beginning the second Thursday following the Thanksgiving holiday.</u>	<u>One antlerless deer per antlerless deer permit issued under s. NR 10.104.</u>
b. Deer management unit 1M.	Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 19 consecutive days.	One buck deer or <u>and antlerless deer</u> as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.
	<u>4-day firearm season beginning the second Thursday following the Thanksgiving holiday.</u>	<u>One antlerless deer per antlerless deer permit issued under s. NR 10.104.</u>

Section 12. NR 10.01(3)(em)1. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(em) <i>Deer bow season</i>		
1. Statewide except as established under subds. 2. and 3. through to 4. and pars. (ed), (et) and (ez).	<i>Early archery season.</i> Beginning on the Saturday nearest September 15 and continuing through the Thursday immediately prior to the opening of the deer gun season described in par. (e).	One deer of either sex buck and one <u>antlerless deer as authorized by the appropriate carcass tag and one additional antlerless deer per hunter's choice and per bonus permit as authorized by antlerless permits issued under s. NR 10.104.</u>
	<i>Late archery season.</i> Reopening on the day immediately after the deer gun season described in par. (e) and continuing through <u>the Sunday nearest January 36.</u>	One deer of either sex buck and one <u>antlerless deer as authorized by the appropriate carcass tag and one additional antlerless deer per hunter's choice and per bonus permit as authorized by antlerless permits issued under s. NR 10.104.</u>

Section 13. NR 10.01(3)(em)2. is repealed and recreated to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(em)2. Federal properties		
a. Badger army ammunition plant in Sauk county, Fort McCoy military reservation in Monroe county and Volk Field military facility in Juneau county.	Bow season as established by military permit and approved by the department by August 1 annually.	Sex and type of deer is as specified on permit issued by military facility.

Note: The department does not issue deer hunting permits for the Apostle Islands National Lakeshore, Badger army ammunition plant, Fort McCoy and Volk Field military facilities. Hunters must apply directly to these facilities for a deer hunting permit and are limited to the type of deer specified on the permit.

Section 14. NR 10.01(3)(em)3. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(em)3. Metro Units		
Deer management units 1M, 59M, 60M, 64M and 77M.	Beginning on the Saturday nearest September 15 and continuing through the Thursday immediately prior to the opening of the deer gun season and reopening on the Saturday immediately preceding the Thanksgiving holiday and continuing through January 31.	One deer of either sex buck and one antlerless deer as authorized by the appropriate carcass tag and one additional antlerless deer per hunter's choice and per bonus permit as authorized by antlerless permits issued under s. NR 10.104.

Section 15. NR 10.01(3)(em)4. is created to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(em)4. State parks. No person may archery deer hunt on the state owned portions of state parks and recreation areas except as provided in this section. Portions of the properties listed may be posted closed to deer hunting. Additionally, no person may archery deer hunt in Perrot, Peninsula, Wyalusing, Wildcat Mountain, Council Grounds, Rib Mountain, Harrington Beach, Kohler-Andrae, or Brunet Island state parks without first obtaining a hunter's choice permit which authorizes access to the park.		
a. Buckhorn state park and the Plum Island portion of Grand Traverse Islands state park.	During the early and late archery seasons described in subd. 1.	One buck and one antlerless deer as authorized by the appropriate carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.
b. The portion of Big Bay state park located on Madeline Island west of a north-south line beginning at the park entrance on Haines road, Mill Bluff state park and Rock Island state park.	Beginning on Oct. 15 and continuing for the remainder of the early archery season and the entire late archery season described in subd. 1.	One buck and one antlerless deer as authorized by the appropriate carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.

Kind of animal and locality	Open season (all dates inclusive)	Limit
c. The following state parks and trails: Elroy-Sparta, Council Grounds, Hartman Creek, Interstate, Kinnickinnic, Wildcat Mountain (unit 72A), Rib Mountain (unit 57D), Harrington Beach (unit 69C), Kohler- Andrae (77E), Willow River, Newport, Rock Island and Tuscobia-Park Falls.	During the late archery seasons described in subd. 1.	One buck and one antlerless deer as authorized by the appropriate carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.
d. Brunet Island (unit 23A) state park.	During the late archery seasons described in subd. 1.	One antlerless deer as authorized by the appropriate carcass tag or one deer of either sex as authorized by deer permits issued under s. NR 10.104.

Section 16. NR 10.01(3)(es)1. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(es) Muzzleloader deer season.		
1. Entire state, except for the areas described in subd. 2., par. (et), deer management units 1M, 59M, 60M, 64M, and 77M, and state parks.	Beginning on the Monday immediately following the Thanksgiving holiday and continuing for 10 consecutive days.	One buck deer or and antlerless deer as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.

Section 17. NR 10.01(3)(es)2. is repealed.

Section 18. NR 10.01(3)(es)3. is renumbered (es)2. and is amended to read.

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(es)2. Loew Lake Unit - Kettle Moraine state forest (unit 77D).	Beginning on the Monday immediately following the Thanksgiving holiday and continuing for 10 consecutive days. Muzzleloader deer hunting is limited to persons holding a permit for unit 77D issued pursuant to s. 29.177, Stats <u>issued</u> <u>by the department.</u>	One buck deer and antlerless deer as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.

Section 19. NR 10.01(3)(ev) is amended to read:

NR 10.01(3)(ev) *Special youth antlerless deer hunt event.* Persons 12 years of age or older but under the age of 16 years of age who possess a certificate of accomplishment under s. 29.591, Stats., or its equivalent from another state or province, may hunt antlerless deer with a firearm for 2 consecutive days beginning on the Saturday of a herd control hunt defined immediately following the opening day of early archery season established under par. (ez) 1. a. (em)1. in all deer management units, except state park units, and federal and tribal lands and units not included in a deer herd control firearm hunt under par. (ez) or (et) on the same day. Allowable types of firearms are those authorized on the first day of the regular gun deer season under par. (e). The bag limit is one ~~antlerless-buck~~ deer per ~~hunter's choice or antlerless deer permit issued under s. NR 10.104 valid gun deer carcass tag and additional antlerless deer per valid antlerless deer carcass tags issued under par. (ed) or s. NR 10.104(8).~~ Youth who are first time graduates of the hunter education program may use their certificates of accomplishment ~~in place of a hunter's choice permit issued under s. 29.177, Stats.,~~ to take an antlerless deer. Hunters shall be accompanied by an adult 18 years of age or older. One adult may not accompany more than 2 hunters and all other hunting regulations apply. Blaze orange requirements under s. 29.301 (2), Stats., apply to all hunters on ~~this day~~ these days except waterfowl hunters.

Section 20. NR 10.104(7) is repealed and recreated to read:

NR 10.104(7) DEER CARCASS TAGS. (a) *Archery carcass tags.* Each license which authorizes the hunting of deer with a bow shall include one carcass tag that is valid for taking one buck deer in any unit statewide, except in units that are included in an earn-a-buck season under s. 10.01(3)(ed)1.b., (ez)1.d., or (et) when an antlerless deer must be tagged prior to the harvest of a buck. Each license which authorizes the hunting of deer with a bow shall also include one carcass tag that is valid for the taking of one antlerless deer in any unit statewide.

(b) *Gun deer carcass tag.* Each license which authorizes the hunting of deer with a firearm, shall include one carcass tag that is valid for taking one buck deer in any unit statewide, except in units that are included in an earn-a-buck season under s. NR 10.01(3)(ed)1.b., (ez)1.d., or (et) when an antlerless deer must be tagged prior to the harvest of a buck.

Section 21. NR 10.104 (8)(a), (b) and (c), (10)(a)and (b) are repealed.

Section 22. NR 10.104(8)(intro.) is amended to read:

NR 10.104(8) PERMIT ISSUANCE. ~~Upon receipt of proper application, the~~ The department shall issue permits in the following manner:

Section 23. NR 10.104(8) (d) is renumbered (8)(a) and is amended to read:

NR 10.104(8)(a)(title) *Unalotted Antlerless permits.* The department may issue ~~any remaining~~ antlerless deer permits ~~to interested permit applicants~~ on a first-come, first-served basis to individuals who possess a valid deer hunting license.

Section 24. NR 10.104(8)(a) note is created to read:

Note: The department conducts extensive publicity on the day when the antlerless permits are first available for sale beginning several months prior to the purchase date. Permit sale dates are published in news releases, license outlet handouts, and pertinent regulation pamphlets. Permits are available from department license agents, on-line at dnr.state.wi.us or by telephone at 1-877-945-4236.

Section 25. NR 10.104(8)(e) is renumbered (8)(b) and amended to read:

NR 10.104(8)(b) *Bonus permits for farm owners.* Eligible resident farm owners under s. 29.181, Stats., will receive one free bonus permit for each one they purchase in deer management units with additional permits as described in s. NR 10.104 (8)(~~e~~)(a). Where there are joint owners or vendee names under a land contract, only one of the owners or vendees is eligible. To be an eligible farm under this section, a majority of the land must be used on a commercial basis, to produce income.

Section 26. NR 10.104(10) (intro.) and (11) (intro.) are amended to read:

NR 10.104(10) BAG LIMIT. (intro.) Each issued antlerless deer hunting permit shall authorize the use of the holder's current valid Wisconsin deer hunting license, back tag and antlerless carcass tag for the ~~killing~~ taking of one antlerless deer only in the deer management unit or units designated on the permit ~~as follows:~~

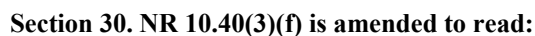
(11) CHRONIC WASTING DISEASE SPECIAL PERMITS. (intro.) In the CWD herd reduction and CWD eradication zones as described in s. NR 10.28 (3), a valid gun or archery deer license carcass tag or a special antlerless permit issued under s. NR 10.01 (3) (ed), (ez), 10.104 (8), 12.06, 12.15 or 19.11 are all valid for tagging an antlerless deer or a buck deer pursuant to the procedure described in par. (a) 3. In addition, the following carcass tags are valid for the taking and tagging of additional deer:

Section 27. NR 10.105(2) is amended to read:

NR 10.105(2) In deer management units with deer seasons modified under s. NR 10.01 (3) (ed)1.b. or (ez) 1. d., no person may transport a buck deer from the time it is killed to the time it is registered under s. NR 10.106 unless accompanied by the antlerless deer or antlerless deer registration verification which authorized the taking of the buck deer. An antlerless deer may be used only by the hunter who tagged it to secure authorization for that hunter to tag one buck deer in the unit or units modified under s. NR 10.01 (3) (ed)1.b. or (ez) 1. d. Deer may only be transported outside of the unit of kill or adjoining unit after they have been registered.

Section 28. NR 10.27 is repealed.

NR 10.28(4) Deer management regions.



NR 10.40(3)(f) Rule compliance. Unless otherwise provided by the department, all disabled hunters and accompanying persons shall comply with all hunting rules and laws applicable to the regular gun deer season specified under s. NR 10.01 (3) (e). The bag limit is one deer ~~per hunter's choice and~~ per antlerless deer permit issued under s. NR 10.104, and per special permit issued under s. NR 10.01 (3) ~~(ed) or (ez)~~.

NR 45.09(4) Nothing in this section shall prohibit the hunting of deer as provided in s. 29.621 (4), Stats., in accordance with the open seasons established by s. ~~NR 10.27, 10.01(3)~~ except that for those projects listed in s. NR 10.27 (1), (2), (6) and (8), hunting is limited to persons holding a permit for the project issued pursuant to ss. 29.177 and 29.181, Stats.

Section 32. Effective date. This rule shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Section 33. Board adoption. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Scott Hassett, Secretary

(SEAL)